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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,275	06/14/2001	Masanori Takano	444.31.01	6829

22242 7590 03/08/2004

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 CHICAGO, IL 60603-3406

EXAMINER
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BELL, MELTIN

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 03/08/2004

11

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/881,275

Applicant(s)

TAKANO, MASANORI

Examiner

Meltin Bell

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-9 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 01 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☒ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/2-25-04.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**Response to Amendment**

1. This action is in response to the solicitation for reconsideration filed 3-1-04 in application 09/881,275.

2. Specification amendments (page 14, line 14; page 15 line 1; page 15, line 16; page 16, line 6) filed by the applicant have been entered.

3. Drawing amendments (Figs. 1, 7, 9, 11D-E, 12, 13A-C, 14, 15A-B) filed by the applicant have been entered.

4. In response to the applicant's arguments stated in the remarks:

I.) Rejections Under 102 -

A.) Independent claims 1-4 have been reconsidered, but they are not persuasive. These claims stand rejected under 35 U.S.C. 102(b) as being unpatentable over USPN 4,357,014 to *Baer et al.*

As to claims 1-3, the applicant argues that the cited reference fail to disclose:

i.) determining a destination direction with regard to a reference point of the crowd, determined by the positions of the individuals which form the crowd at time t

ii.) determining the position at the next time  $t + 1$  according to the position assigned by said arrangement process and said destination direction

In response to applicant's argument,

i.) It is noted that *Baer et al* teaches offensive team members moving in the quarterback's direction (column 5, lines 25-30, "moving the joystick...of the display"). Therefore, the determining a destination direction with regard to a reference point of the crowd, determined by the positions of the individuals which form the crowd at time t limitation is met by the reference.

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ii.) It is noted that *Baer et al* teaches moving the entire team a desired distance (column 5, lines 21-25, "The joystick can... a desired distance"). Therefore, the determining the position at the next time  $t + 1$  according to the position assigned by said arrangement process and said destination direction limitation is met by the reference.

As to claim 4, the applicant argues that the cited reference fails to disclose a mode determination process for determining whether each character should operate as an individual or as a crowd. In response to applicant's argument, it is noted that *Baer et al* teaches joystick movements applied to the quarterback, the offensive team, the defensive team or whoever has the football (column 5, lines 12-23, "Joystick 64 is...in this fashion"). Therefore, the mode determination process for determining whether each character should operate as an individual or as a crowd limitation is met by the reference.

B.) Dependent claims 5-9 stand rejected for being dependent on rejected independent claims as well as other reasons given in the prior office action.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

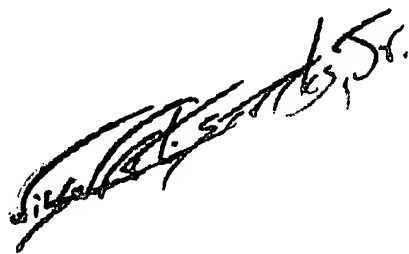
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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Correspondence Information***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meltin Bell whose telephone number is 703-305-0362. The examiner can normally be reached on Mon - Fri 7:30 am - 4:30 pm EST.
6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anil Khatri can be reached on 703-305-0282. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
7. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MB/AM.B,



**Wilbert L. Starks, Jr.  
Primary Examiner  
Art Unit - 2121**